

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

United States of America

vs.

Deonte Lee Rogers

§  
§  
§  
§  
§

No. 1:21-CR-56-LY

**REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

TO: THE HONORABLE LEE YEAKEL  
UNITED STATES DISTRICT JUDGE

The Magistrate Judge submits this Report and Recommendation to the District Court pursuant to 28 U.S.C. § 636(b)(3). The District Court referred this case to the United States Magistrate Judge for the taking of the defendant's felony guilty plea and for his allocution pursuant to Federal Rule of Criminal Procedure 11.

On July 14, 2021, the defendant and counsel appeared before the Magistrate Judge. Counsel were admonished as required by the Due Process Protection Act. The undersigned addressed the defendant personally in open court, informed him of the admonishments under Rule 11 of the Federal Rules of Criminal Procedure, and determined that he understood those admonishments.

Pursuant to a plea agreement, the defendant pled guilty to each of the following five counts:

- Counts 1 & 2. Forcibly Assaulting a Federal Officer and a Person Assisting a Federal Officer with a Deadly/Dangerous Weapon, in violation of 18 U.S.C. §§ 111(a) and (b);
- Count 3. Using, Carrying, and Discharging a Firearm During and In Relation To a Crime of Violence, in violation of 18 U.S.C. § 924(c); and
- Counts 4 & 5. Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1).

The Magistrate Judge finds the following:

1. The defendant, with the advice of his attorney, consented to enter this guilty plea before the Magistrate Judge, subject to final approval and sentencing by the District Judge;
2. The defendant fully understands the nature of the charges against him and possible penalties;
3. The defendant understands his constitutional and statutory rights, understands that his constitutional and statutory rights can be waived, and understands the meaning and effect of the waiver of his constitutional and statutory rights;
4. The defendant's plea was made freely and voluntarily;
5. The defendant is competent to enter this plea of guilty; and
6. There is a factual basis for this plea.

#### **RECOMMENDATION**

The Magistrate Judge **RECOMMENDS** that the District Court accept the defendant's guilty plea and enter a Final Judgment of guilt against him.

#### **WARNING**

Having been orally advised of these Findings and Recommendations, the parties have waived their right pursuant to 28 U.S.C. § 636(b)(1)(C) to object to this Report and Recommendation within 14 days, and the matter is ripe so that the District Court may act on this Report and Recommendation immediately.

**SIGNED** on July 14, 2021.



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SUSAN HIGHTOWER  
UNITED STATES MAGISTRATE JUDGE